

VZCZCXRO5621  
PP RUEHMA RUEHPA  
DE RUEHMA #0822/01 3160725  
ZNR UUUUU ZZH  
P 120725Z NOV 09  
FM AMEMBASSY MONROVIA  
TO RUEHC/SECSTATE WASHDC PRIORITY 1455  
INFO RUEHZK/ECOWAS COLLECTIVE  
RUEHSA/AMEMBASSY PRETORIA 0548

UNCLAS SECTION 01 OF 02 MONROVIA 000822

SENSITIVE  
SIPDIS

PRETORIA FOR DHS ATTACHE

E.O. 12958: N/A

TAGS: [KCRM](#) [ASEC](#) [PREL](#) [PGOV](#) [PHUM](#) [LI](#)

SUBJECT: GOL AGREES TO FURTHER DISCUSSION ON ACCEPTING DEPORTEES

1. (SBU) SUMMARY: After a productive meeting on October 27, the Ministers of Foreign Affairs and Justice confirmed that the GOL is prepared to receive 28 deportees in January 2010, and agreed to the drafting a Memorandum of Understanding with the USG outlining procedures for the return of deportees. While not specifically agreeing to lift their declared one-year moratorium, they indicated that an MOU could address their concerns. Post requests further guidance on possibilities for assistance and advice on MOJ conditions for the return of deportees (please see para 13). END SUMMARY.

2. (SBU) Visiting DHS regional officer Abraham Lugo and DHS/ICE Detention and Deportation Officer Dana Day, along with DCM, P/E COUNS and RSO, met with Minister of Foreign Affairs Olubanke King-Akerele and Minister of Justice Christiana Tah on October 27 in an attempt to resolve differences in allowing the deportation of Liberians convicted of felonies in the U.S. Also attending the meeting were MFA Legal Counselor Krubo Kollie and MFA Advisor Chessen as well as Bureau of Immigration (BIN) and Naturalization Commissioner Chris Massaquoi and Deputy Commissioner Abba Williams.

Moratorium Request Creates Impasse

3. (SBU) Liberia had requested in diplomatic notes sent to the Embassy and the Department a "moratorium" of one year to allow Liberia to "strengthen and capacitate [its] security forces, and to implement effective SOPs including tracking and monitoring systems, recruiting and training of counselors, construction of facilities to house potential recidivists, and to seek and obtain funding for these recidivists."

4. (SBU) At the same time, the diplomatic notes said the government would allow the return of a number of deportees that had finished their sentences in the U.S. The note from the MFA said 28 (the note from the embassy said 26) but refused the return of 16 deportees who had not "completed the term of sentence imposed by the United States Court, or the jacket of the individual is incomplete with respect to criminal history." Neither note provided a list of names of those cleared for return, and the list provided by the Liberian Embassy was missing a page.

Meeting Moves Issue Forward

5. (SBU) The DCM opened the meeting by noting that we had reached an impasse on deportations, and the visit by the DHS officials was to engage in direct dialogue to come to an understanding. The USG could not accept a one year moratorium, but was willing to work with the GOL to address its concerns.

6. (SBU) Minister King-Akerele said that the request for a moratorium should not be construed as the GOL refusing to accept its nationals, but that given the fragile post-conflict environment, they must be returned in a manner that will not create instability. Minister Tah added there were severe public safety issues that need to be addressed before receiving these criminal elements.

¶7. (SBU) Minister Tah explained her view that if Liberians are deported without completing their sentence (including parole/probation) the GOL would be required to respond if the person violated parole while in Liberia. Day said that no such conditionality was placed on the GOL for accepting the return.

¶8. (SBU) Day explained that that it was his understanding that the GOL had originally preferred large group returns as being more efficient for them. However, if the GOL has now determined that the security considerations of large returns outweigh the logistical advantages, then DHS could consider sending refugees in smaller groups, either commercially or by charter for those deemed too dangerous for commercial flights. He warned that such a change in policy would require a change in the procedures the Liberian Embassy uses to document the deportees. The Foreign Minister agreed to discuss the matter further within the GOL.

¶9. (SBU) Regarding providing complete criminal history, Day pointed out that DHS does not have ready access to that information, and does not ordinarily provide that information as part of the jacket, but has been endeavoring to do so in the case of Liberia in order to honor its request. However, the activity is extremely labor intensive and he could not guarantee he could provide the complete information in every case.

Meeting Outcome  
-----

¶10. (SBU) After presenting each side's position, the two sides agreed to the following:

MONROVIA 00000822 002 OF 002

-- The Liberians agreed to provide a definitive list of the 28 deportees they were ready to accept. (Note: The BIN provided a list to the Embassy the next day. End Note) They also agreed to the DHS proposal for a return in January.

-- DHS agreed to draft a Memorandum of Understanding to codify procedures for removals, perhaps to be concluded soon after the return of the 28 deportees in January. The Liberians indicated that with a satisfactory MOU, the GOL might drop its request for a moratorium.

-- DHS agreed to provide more information on voluntary returns, within the limits of U.S. law.

-- DHS agreed to provide as much criminal history on the deportees as possible, understanding that DHS will have some limitations.

-- The Embassy agreed to continue to look for assistance for the MOJ in creating a probation tracking system, with the understanding that such assistance should not be linked to lifting the moratorium.

-- The Liberians agreed to provide their preference on large-scale versus small-scale returns, and to provide a more precise description of the reforms they believe they must make before receiving all deportees.

¶11. (SBU) Left on the table were:

-- Liberia's request for a one-year moratorium;

-- Provision of jackets with complete criminal history;

-- Liberia's insistence on sentences (including parole/probation) being completed before deportation can occur.

Possible Sources of Assistance  
-----

¶12. (SBU) Post believes that some assistance can be provided to the MOJ to create a parole system through the INL-funded Justice Sector Support for Liberia program. Also discussed during the meeting was

the possibility of using an NGO to assist in resettling the returnees. While we made no commitment to funding such an effort, we believe a short-term project may both improve conditions for these returns as well as for other voluntary or involuntary returns.

¶13. (SBU) Post requests guidance on models used elsewhere for the return of deportees or other involuntary returns. We understand the Catholic Relief Services was contracted in El Salvador for a similar operation. We also seek guidance on Minister Tah's thinking about deportees needing to complete their sentences (including parole/probation) before Liberia agrees to accept them.

THOMAS-GREENFIELD